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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

NATIONAL URBAN LEAGUE, *et al.*,

Plaintiff,

v.

WILBUR L. ROSS, JR., *et al.*,

Defendants.

Case No. 5:20-cv-05799-LHK

**DECLARATION OF
JAMES T. CHRISTY**

1 I, James T. Christy, make the following Declaration pursuant to 28 U.S.C. § 1746, and state
2 that under penalty of perjury the following is true and correct to the best of my knowledge and
3 belief:

- 4 1. This is my third declaration in this lawsuit. I am making this declaration in response to
5 the Court's "Order re: Response to Allegation of Noncompliance with Preliminary
6 Injunction."
- 7 2. Since September 7, 2020, the Census Bureau field operations have been guided by the
8 instructions transmitted to the field in the "Guidance for Field Managers related to
9 Action Required following the 9/5 Court Order". I understand those guidelines have
10 previously been provided to the Court. *See* ECF 86.
- 11 3. Following receipt of the Court's September 24, 2020, Preliminary Injunction, on
12 Friday, September 25 at 3:23pm, I sent an email to all managers working on field
13 operations at Headquarters and in the regions notifying them of our intent to comply
14 with the Court's Preliminary Injunction. In that statement, I instructed them to
15 "continue to conduct NonResponse FollowUp (NRFU) and other field operations as
16 planned. We will provide further instructions and guidance as necessary."
- 17 4. At 1:53pm on Sunday, September 27, I was provided with the Order Re:
18 Communications with the Court (ECF 214) regarding alleged violations of the
19 preliminary injunction.
- 20 5. The information reflected in the communication referenced by the Court is not part of
21 any instruction I have transmitted to the field, and not consistent with my understanding
22 of what field offices should be doing. Upon receipt of the information provided to the
23 Court and based on the references in that information to field activity in Texas, I
24 contacted staff in the Dallas region to determine whether the information provided in
25 the communication the Court referenced was accurate, and to determine why such
26 information may have been transmitted.
- 27 6. I learned the Regional Director in Dallas sent a note to staff that referenced the
28 September 30 end date at 8:12am Central time on Friday, 9/25. Specifically, she said

1 “We are still working toward an end date of 9/30.” This was sent in advance of the
2 notice sent from HQ (by me) later on 9/25, that made no reference to the September 30
3 end date.

4 7. I confirmed with the Regional Director the correct guidance that I had provided was
5 issued. She confirmed that she distributed this guidance again to managers in the
6 Dallas RCC at 2:28pm on the same day, September 25. . Further, I asked her to
7 confirm again that she had discussed the guidance with managers in the Dallas region
8 and that they had indicated an understanding that we are NOT working toward a 9/30
9 ending.

10 8. There are multiple enumerators with the name referenced in the information from the
11 Court. We believe, however, that this enumerator works in one of our Texas Area
12 Census Offices.

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16 I have read the foregoing and it is all true and correct.

17 DATED this _28th_ day of September, 2020
18
19

20 _____
James T. Christy

21 Assistant Director for Field Operations

22 United States Bureau of the Census
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